

REMARKS

Reconsideration and allowance in view of the foregoing amendments and the following remarks is respectfully requested.

Claim amendment/Status

In this response, claims 24 and 25 have been cancelled and claims 19, 21, 26-34 have been reviewed and amended to improve the clarity with which the subject matter for this patent protection is sought is expressed. New claim 37 is presented for examination. This new claim takes the form of claim 32 rewritten to assume independent form. Claims 33 and 34 have been amended to assume proper independent form respectively and to thus obviate the objections advanced at the top of page 2 of this Office Action.

At the very least, inasmuch as claims 32 to 36 have been indicated as containing allowable subject matter, it is submitted that claims 33-37, stand in *prima facie* condition for allowance.

Rejections under 35 USC § 112

The rejection of claims 28-29 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out an distinctly claim the subject matter which applicant regards as the invention, is respectfully traversed. In this response, claims have been amended in a manner which obviates the "third type" antecedent basis issue.

Rejections under 35 USC § 102

The rejection of claims 19-21, 23, 24, 26, 27, 30 and 31 under 35 U.S.C. 102(e) as being anticipated by USP 7,337,043 B2 to Bull, is respectfully traversed.

Independent claim 19 has been amended in a manner which clarifies the subject matter for which patent protection is sought and which also obviates the anticipation rejection.

More specifically, as set forth in the specification, the claimed invention is an improvement on a map displaying nonnegotiable regions to be circumvented by the vehicle. This improvement consists in surrounding nonnegotiable regions with outside bands indicating spaces in the neighbourhood of nonnegotiable regions where the vehicle can go but without a complete freedom of lateral movement because of its limited manoeuvring capabilities and the proximity of a nonnegotiable region.

Bull, on the other hand, describes a terrain advisory system for an aircraft that generates a terrain advisory envelope extending beyond a distance and a lateral envelope within which a terrain awareness and warning system (TAWS) provides cautions and alerts. This terrain advisory envelope is used for displaying on a map, a maneuver advisory region widening the caution region, on a TWAS system. The maneuver advisory region which highlights all the terrain around the aircraft that is within a reasonable maneuver distance for providing the pilot with an immediate awareness of other terrain than those indicated by the TWAS system, that could trigger further TWAS alerts as the aircraft initiates a maneuver of terrain avoidance once a TWAS alert has occurred (see column 3, lines 17-33).

In the maneuver advisory envelope display, the relatively low lying regions are shown in a dark background color. The regions with a level at or above the aircraft are shown in a second color such as tan or brown (see column 3, lines 40-46).

The maneuver advisory envelope display is a kind of relief map with levels related to the height of the aircraft. This, however, does not limit the surrounding band of the neighborhood of the nonnegotiable regions (the caution regions displayed by the TWAS system) where the aircraft can go but with a limited freedom of lateral movement.

Regarding claim 19, as amended, this claims a map displaying nonnegotiable regions, bands surrounding nonnegotiable regions without a complete freedom of lateral movement for the vehicle and regions of complete freedom of lateral movement. Bull does not describe such a map of an area of movement for a vehicle displaying bands surrounding nonnegotiable regions showing the regions without a complete freedom of movement for the vehicle. Therefore, anticipation is not made out.

Regarding claims 20 and 21, which call for displaying of the map as a transparent overlay, Bull does not describe detailing a map delivered by a TWAS system with regions of incomplete freedom of lateral movement. Indeed, he only suggests to widen the map delivered by a TWAS system with a maneuver advisory envelope.

Regarding claim 23, which calls for masking using textures, Bull shows the use of textures for cautious regions but not for regions of complete freedom of lateral movement which are never displayed.

Regarding claim 24 claiming the representation in a map of various types of region distinguish from each other by the extent of the lateral maneuvering freedom.

This claim is cancelled thus mooted the issue.

Regarding claims 30 and 31 pertaining to the determination of the width of the bands surrounding nonnegotiable regions and having the width of a maneuver space considered as necessary for a free lateral movement for the vehicle, taking into account the maneuvering capabilities of the vehicle and the need for the vehicle to avoid regions arbitrarily considered as nonnegotiable, it is submitted that Bull does not describe a map displaying bands surrounding the non-negotiable regions and showing regions without complete freedom of movement for the vehicle.

Rejections under 35 USC § 103

The rejection of claims 22 and 25 under 35 U.S.C. 103(a) as being unpatentable over Bull (US patent 7,337,043), is respectfully traversed.

Regarding claim 22 claiming the use of a transparent overlay with a semitransparent masking for representing regions of complete freedom of lateral movement, it is submitted that Bull only teaches to widen the map of a TWAS system displaying caution regions for displaying outside the TWAS map advisory regions that could become caution regions. Bull does not suggest displaying regions of complete and incomplete freedom of lateral maneuvering in addition to the caution or advisory regions.

Inasmuch as claim 25 has been cancelled, the rejection of this subject matter is rendered moot. As will be noted the subject matter of this claim has been merged with claim 19.

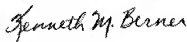
Regarding claims 28 and 29 which call for a representation with iso-distance lines with color gradations representatives of distances from the border of the region to be circumvented, it is submitted that Bull teaches to widen the map of a TWAS system displaying cautious regions for displaying outside the TWAS map advisory regions that could become caution regions. Bull does not suggest to precisely outline the borders of the caution regions to be circumvented in order to show spaces with incomplete freedom of lateral maneuvering.

Conclusion

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,
LOWE HAUPTMAN HAM & BERNER, LLP

A handwritten signature in cursive script, reading "Kenneth M. Berner".

Kenneth M. Berner
Registration No. 37,093

1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
(703) 684-1111
(703) 518-5499 Facsimile
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KMB/KJT/ser